REMARKS/ARGUMENT

Claims 1-8 and 11-21 are currently pending.

The Office Action maintained the rejections of the pending claims under 35 U.S.C. § 102 as anticipated by U.S. patent 5,691,254 ("Sakamoto") and U.S. patent 5,866,239 ("Shimatani"), and/or under 35 U.S.C. § 103 as obvious over Sakamoto or Shimatani in view of Wennemann, Kornbluth, Krause, and/or Mewissen. In view of the following comments, Applicants respectfully request reconsideration and withdrawal of these rejections.

Central to the pending rejections is the assertion that Sakamoto's and Shimatani's glass products inherently possess the L*, a*, b* values required by the claims. In the Office Action dated January 11, 2008, the Office asserted that the pending claims do not contain any structure or components that would distinguish the claimed ceramic over the ceramic of the applied art, and that the claimed ceramic would be expected to have a black appearance like Sakamoto's and Shimatani's glass products.

In response to this assertion, Applicants submitted a Rule 132 declaration on May 9, 2008, demonstrating and explaining why Sakamoto's and Shimatani's glass products do not inherently possess the L*, a*, b* values required by the claims. The Office Action dated June 12, 2008, recognized Applicants' showing, stating (at page 6) that Applicants' arguments and the Rule 132 declaration "illustrate how similar compositions of glass ceramic products can have different L* values depending upon, particularly, the presence of the beta spodumene phase."

Nevertheless, the Office Action went on to assert that because the claims do not require the presence of such a beta spodumene phase, the claims are not distinguishable from the applied art, and maintained the pending rejections.

Applicants respectfully submit that the Office Action's maintaining the pending rejections under the circumstances is improper. Applicants have demonstrated that the applied art does not teach or suggest the required L* values, either expressly or inherently, and the Office has recognized that Applicants have made such a showing. Thus, Applicants have demonstrated that the applied art neither teaches nor suggests the claimed invention. The different L* values reflect and highlight differences in structure between the applied art and the present invention. Nothing more is necessary. By maintaining the pending rejections, the Office Action attempts to require Applicants to add new and/or different limitations to the claims despite the fact that Applicants have already demonstrated that the pending claims differ from the applied art. Such a requirement is unnecessary and improper under the rules. Again, Applicants have already demonstrated the novelty and unobviousness of the present invention. In view of this, the pending rejections should be withdrawn.

In view of the above, Applicants respectfully request reconsideration and withdrawal of all of the pending rejections under 35 U.S.C. §§ 102 and/or 103.

Applicants believe that the present application is in condition for allowance. Prompt and favorable consideration is earnestly solicited.

Respectfully submitted,

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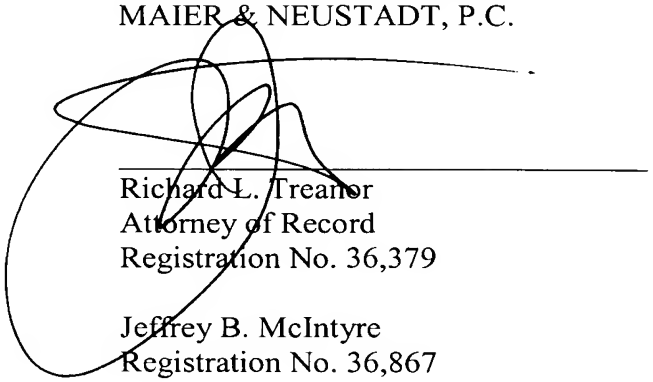

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